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Law Department  
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Horsham, PA 19044

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Number of Pages (including this page)

Date: January 10, 2006  
To: Examiner: Sheleheda, James R.  
Art Unit: 2617  
Location: United States Patent and Trademark Office  
Fax No.: 571-273-8300  
From: Attorney: Lawrence T. Cullen Reg. No. 44,489  
Subject: Serial No. 09/625,873 Filed: 7/26/2000 Docket No. CX099034

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**MESSAGE:**

Enclosed herewith, please find Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b), Fee Transmittal, Change of Correspondence Address, and Part B - Issue Fee Transmittal and fees due for filing in the above-identified application.

**PLEASE GIVE THESE PAPERS TO:**

EXAMINER:	Sheleheda, James R.
GROUP ART UNIT:	2617
ATTORNEY DOCKET NO.:	CX099034

6 out of 20

JAN 10 2006

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)		Docket Number CX099034
First Named Inventor:	Robert Wallace	Art Unit: 2617
Application Number:	09/625,873	Examiner: Sheleheda, James R.
Filed:	7/26/2000	
Title:	HIGH AVAILABILITY MECHANISM IN A CABLE ENVIRONMENT	
Attention: Office of Petitions Mail Stop Petition Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450 FAX: (703) 308-6916		
<p><b>Note:</b> If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.</p> <p>The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.</p> <p><b>APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION</b></p> <p><b>NOTE:</b> A grantable petition requires the following items:</p> <ol style="list-style-type: none"> <li>(1) Petition fee;</li> <li>(2) Reply and/or issue fee;</li> <li>(3) Terminal disclaimer with disclaimer fee—required for all utility and plant applications filed before June 8, 1995; and for all design applications; and</li> <li>(4) Statement that the entire delay was unintentional.</li> </ol> <p>1. Petition fee</p> <p><input type="checkbox"/> Small entity – fee \$ _____ (37 CFR 1.17(I)). Applicant claims small entity status. See 37 CFR 1.27.</p> <p><input checked="" type="checkbox"/> Other than small entity – fee \$ 1500</p> <p>2. Reply and/or fee</p> <p>A. The reply and/or fee to the above-noted Office action, in the form of Part B-Issue Fee</p> <p><input type="checkbox"/> has been filed previously on _____</p> <p><input type="checkbox"/> is enclosed herewith</p> <p>B. The issue fee of \$ 1400</p> <p><input type="checkbox"/> has been paid previously on _____</p> <p><input checked="" type="checkbox"/> Deposit Acct. 43471 Motorola, Inc.</p>		

Page 1 of 2

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FRES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

## 3. Terminal Disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (See PTO/SB/63)

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c)(iii)(C) and (D))]

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

January 10, 2006

Date

Signature

215-323-1797  
Telephone Number

Lawrence T. Cullen

Typed or printed name

Address

Address

Enclosures: ☒ Fee Payment  
☐ Reply  
☐ Terminal Disclaimer Form  
☐ Additional sheets containing statements establishing unintentional delay  
☒ Other: Issue Fee

**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark office at (703) 308-6916.

January 10, 2006

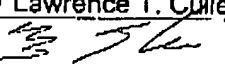
Date

Signature

Carol J. Smith

Typed or printed name of person signing certificate

**JAN 10 2006**

Effective on 12/06/2004 Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818)		<b>Complete if Known</b>			
<b>FEE TRANSMITTAL</b> For FY 2005		Application Number		09/625,873	
		Filing Date		July 26, 2000	
		First Named Inventor		Robert Wallace	
		Examiner Name		Sheleheda, James R.	
		Group Art Unit		2617	
		Attorney Docket No.		CX099034	
TOTAL AMOUNT OF PAYMENT		(\$ ) 2900			
<b>METHOD OF PAYMENT (check all that apply)</b>					
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____					
<input checked="" type="checkbox"/> Deposit Account            Deposit Account Number: <b>502117</b> Deposit Account Name: <b>MOTOROLA, INC.</b> For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)					
<input checked="" type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee					
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) <input checked="" type="checkbox"/> Credit any overpayments					
under 37 CFR 1.16 and 1.17					
<b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
<b>FEE CALCULATION</b>					
<b>1. BASIC FILING, SEARCH, AND EXAMINATION FEES</b>					
<b>FILING FEES</b>		<b>SEARCH FEES</b>		<b>EXAMINATION FEES</b>	
<u>Application Type</u>	<u>Fee (\$)</u>	<u>Small Entity</u> <u>Fee (\$)</u>	<u>Small Entity</u> <u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Small Entity</u> <u>Fee (\$)</u>
Utility	300	150	500	250	200
Design	200	100	100	50	130
Plant	200	100	300	150	160
Reissue	300	150	500	250	600
Provisional	200	100	0	0	0
					<b>Fees Paid (\$)</b>
<b>2. EXCESS CLAIM FEES</b>					
<b>Fee Description</b>					<b>Small Entity</b> <b>Fee (\$)</b>
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent					50
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent					25
Multiple dependent claims					100
Total Claims					180
- 20 or HP = _____ x _____ = _____					<b>Multiple Dependent Claims</b> <b>Fee (\$)</b> <b>Fee Paid (\$)</b>
HP=highest number of total claims paid for, if greater than 20					
<b>Indep. Claims</b>					<b>Small Entity</b> <b>Fee (\$)</b>
- 3 or HP = _____ x _____ = _____					
HP=highest number of independent claims paid for, if greater than 3					
<b>3. APPLICATION SIZE FEE:</b>					
If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).					
Total Sheets					<b>Fee (\$)</b>
- 100 = _____ / 50 = _____					<b>Fee Paid (\$)</b>
Extra Sheets					
Number of each additional 50 or fraction thereof (round up to a whole number) x _____					
<b>4. OTHER FEE(S)</b>					
Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b)					<b>Fee Paid (\$)</b>
Part B - Issue Fee Transmittal					\$1500 \$1400
<b>SUBMITTED BY</b>			Complete (if applicable)		
Name (Print/Type)		Lawrence T. Cullen		Registration No.	
				44,489	
Signature				Telephone	
				215-323-1797	
			Date		
			January 10, 2006		